

2005 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB391)

Received: 02/08/2006

Received By: dkennedy

Wanted: As time permits

Identical to LRB:

For: Jon Erpenbach (608) 266-6670

By/Representing: Tryg (aide)

This file may be shown to any legislator: NO

Drafter: dkennedy

May Contact:

Addl. Drafters:

Subject: Mental Health - protect place

Extra Copies:

Submit via email: YES

Requester's email: Sen.Erpenbach@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Purchase or disposition of real estate for a ward by a guardian

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	dkennedy 02/08/2006	kfollett 02/08/2006					
/1			pgreensl 02/08/2006		lnorthro 02/08/2006	lnorthro 02/08/2006	

FE Sent For:

<END>

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/?	dkennedy	11/19/06 2/8	2/8 pb	2/8 pb			

FE Sent For:

<END>

TELEPHONE DRAFTING INSTRUCTIONS

Drafting instructions received by Debora Kennedy.

DATE:

2/8/06

CONVERSATION
WITH:

Tryg

OF:

TELEPHONE NO:

Erpenbach's

REGARDING LRB #
OR DRAFT TOPIC:

INSTRUCTIONS:

Put 05-1809 in
as addt to SSA1
to SB 391

2005 BILL

1 **AN ACT** *to amend* 786.12 of the statutes; **relating to:** purchase of real estate
2 for a ward by a guardian.

Analysis by the Legislative Reference Bureau

Current law permits a court to authorize a guardian to purchase real estate for a ward if the purchase would substantially promote the ward's interests and if the ward will not incur debt for the purchase. This bill eliminates the condition that the ward not incur debt for the purchase.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 786.12 of the statutes is amended to read:
4 **786.12 Wards; other disposal of real estate; acquisition of real estate.**
5 The courts and judges mentioned in this chapter are further empowered and
6 authorized to make any other disposition of the real estate of any minor or other ward
7 mentioned herein when it shall be made to appear to such court or judge that such
8 proposed disposition will substantially promote the interests of any such ward. The

BILL

1 court or judge of the court in which the general guardian has been appointed is
2 empowered to authorize the purchase in the name of such ward of any real estate
3 within the state of Wisconsin when it shall be made to appear to such court or judge
4 that such proposed purchase will substantially promote the interests of such ward,
5 provided that no debt shall be incurred or assumed by such ward for purchase of any
6 such real estate. The provisions of this chapter are applicable to all proceedings
7 under this section.

8 (END)

2005

Date (time)
needed

now

LRBa 2267 1 1

AMENDMENT

DAK: 15f

See form AMENDMENTS — COMPONENTS & ITEMS.

S A AMENDMENT

~~TO S A AMENDMENT~~ (LRBa 212)

TO S A SUBSTITUTE AMENDMENT 1 (LRBs 214)

TO 2005 SB ~~SJR SR AB AJR AR~~ 391 (LRB 1)

At the locations indicated, amend the substitute amendment as follows:
(fill ONLY if "engrossed" or "as shown by")

#. Page 156, line 13: after that line insert:

#. Page, line:

#. Page, line:

#. Page, line:

#. Page, line:

207m

Section #. 786.12 of the statutes is amended to read:

under

or other disposal

786.12 Wards; ~~other disposal of real estate; acquisition of real estate.~~ The courts and judges mentioned in this chapter are further empowered and authorized to make any ~~other~~ disposition of the real estate of any minor or other ward ~~mentioned herein when it shall be made to appear to such court or judge that such proposed disposition will substantially promote the interests of any such ward.~~ ^{the} The court or judge of the court in which the general guardian has been appointed is empowered ^{or} to authorize the purchase in the name of such ward of any real estate within the state of Wisconsin when it shall be made to appear to such court or judge that ^{if the} ~~such~~ proposed purchase will substantially promote the interests of ^{the} ~~such~~ ward, provided that no debt shall be incurred or assumed by such ward for purchase of any such real estate. The provisions of this chapter are applicable to all proceedings under this section. //

History: 1979 c. 32 s. 63; Stats. 1979 s. 786.12.

the court in which a
guardian has
been appointed
for a minor or
an individual
adjudicated
incompetent
may, in addition to
the provisions of
this chapter,

the

disposition
or

(End)